

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LUISA CUETO DE PENA and JOSE E. PENA,

Plaintiffs,

-v-

JEREMY D. PIONTKEWICZ and DEAN PIONTKEWICZ,

Defendants.

20 Civ. 6215 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court, by separate order, has today scheduled an initial pretrial conference for September 8, 2020. However, the present record leaves unclear whether the amount-in-controversy requirement for federal jurisdiction has been satisfied, so as to justify the defense's removal of this case from state court. The Court accordingly directs plaintiffs, by Friday, August 14, 2020, to file a declaration of counsel attesting to whether plaintiff is reserving the right to seek more than \$75,000 in compensatory damages, and if so, what the factual basis is for that prayer for relief. Upon receipt of this submission, the Court will determine whether to uphold the removal, remand the case to state court on the grounds that plaintiffs are not seeking the requisite amount-in-controversy to sustain diversity jurisdiction, or to seek additional information from counsel.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: August 11, 2020  
New York, New York